

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
 v.) Criminal No. 04-30019-MAP
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)
 ROBERT KNOWLES,)
 Defendant.)

PARTIES' SECOND JOINT MEMORANDUM
PURSUANT TO LOCAL RULE 116.5(A)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, and counsel for the defense, hereby file their joint memorandum pursuant to Local Rule 116.5(A):

1. Relief should not be granted from the otherwise applicable timing requirements imposed by L.R. 116.3. The government has provided automatic discovery.
2. The defendant has ~~not~~ sought discovery concerning expert witnesses under Fed. R. Crim. P. 16(a)(1)(E).
3. Both the government and the defense agree to confer with respect to discovery issues should either side receive additional information, documents, or reports of examinations or tests.
4. The government received today a letter requesting further discovery. The parties should confer at the upcoming status conference on whether it is appropriate to establish a motion schedule under Fed. R. Crim. P. 12(c) at this time.

5. The defense and the government agree that all of the time from arraignment until the date of the filing of the defendant's motions or the next status conference should be excluded under the Speedy Trial Act.


6. It is not clear whether a trial will be necessary.

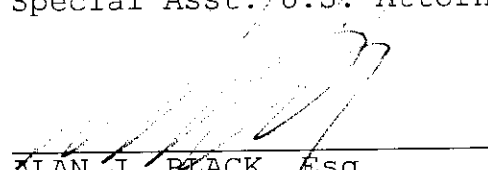
7. A final status conference should be scheduled within 30 days.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

by:


JAMES R. GOODHINES
Special Asst. U.S. Attorney


ALAN J. BLACK, Esq.
Counsel for Defendant

Date: July 15, 2004